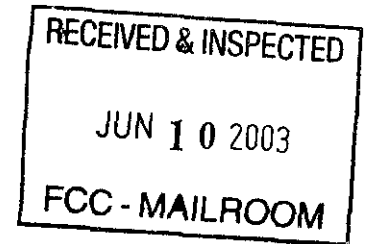




June 5, 2003

DOCKET FILE COPY ORIGINAL



Federal Communications Commission
Office of the Secretary
445 - 12th Street, SW
Washington, DC 20554

Gentlemen:

Please reference CC Docket Nos. 96-45 and 97-21.

I am sending this appeal on behalf of Anderson County School District, USAC entity number 128340. Recently, USAC denied an appeal filed regarding the following:

Billed Entity Number: 128340
471 Application Number: 329179
Funding Request Number: 887777
Anderson County's SLD Appeal: Dated September 23, 2002
Administrator's Decision on Appeal: Dated April 10, 2003

My contact information is as follows:

Georgia Morrow
Compliance Administrator
e-Rate Consulting
103 Weatherstone Drive, Suite 720
Woodstock, GA 30188
770-592-4698, voice
770-592-4693, fax
gmorrow@erateconsulting.com

I have attached the following documents to substantiate my request for a higher appeal:

1. My Letter of Agency
2. The Administrator's Decision on Appeal from USAC
3. The original Letter of Appeal submitted by Johanna Whitley to USAC
4. A copy of Selective Review Information Requests dated 3/18/02 and 6/25/02 including Item 25 Worksheets
5. FAX cover sheet indicating that 14-day expectation deadline on initial selective review was met
6. Recently acquired copy of contract with Educational Networks of America

No. of Copies rec'd
List A B C D E

6

To summarize:

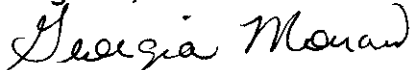
Anderson County School District complied with all requests for information during **two** selective review processes with the exception of being able to acquire a copy of their contract with Educational Network of America. Based on verbiage used in the Decision on Appeal dated April 10, 2003, Anderson County cannot tell whether supporting documentation fell short or whether there is confusion between the two selective review results.

If one looks at the Selective Review coversheets from 3/18/02 and 6/25/02 side by side, it is evident that 471 Application Number 307050 (cancelled Internal Connections) was removed from second Selective Review dated 6/25/02. However, when you look at the Item 25 Worksheets side by side, it becomes very confusing. A line item of \$211,844.58 appears beside Internal Connections in Sections 1-A and 1-B on the 6/25/02 Item 25 Worksheet when \$0 would be correct.

One paragraph of the Decision on Appeal states "you have failed to provide evidence that the district had secured access to the funds necessary to pay the non-discounted portion of the district's Funding Year 2002 funding requests." We are concerned that the erroneous figures that appeared on the 6/25/02 Item 25 Worksheet influenced this decision instead of the correct Item 25 Worksheet faxed to Ken Collis on April 16, 2002.

The last decision paragraph indicates that Anderson County did not provide requested documentation fully within the 14-day expectation. Please notice the date of April 3, 2002 on the fax cover sheet where 22 pages were faxed to Ken Collis. Also please notice that Johanna Whitley "over-nighted all the other documentation. You should receive the other items today." Anderson County truly does not understand what budgetary documentation failed the review or why they were considered as providing the information late.

Regards,



eRate Consulting

gmorrow@erateconsulting.com

103 Weatherstone Drive, Suite 720

Woodstock, GA 30188

770-592-4698, x 109

Attachments



Letter of Agency For Year 6 E-rate Filing

I hereby authorize E-rate Consulting Services, LLC to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Library Division on behalf of our school district for all eligible services outlined in the most current "Eligible Services List" published by USAC.

I understand that in submitting these forms on our behalf, you are making certifications for our school district. By signing this letter of agency, I make the following certifications:

- (a) I certify that the schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the schools in our district have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
- (c) I certify that all schools in our district are covered, or will be covered at the time funded services are provided, by E-rate approved technology plans (unless discounts are only being requested for basic local and long distance telephone service).
- (d) I certify that our school district is compliant, or will be compliant at the time funded services are provided, with the Children's Internet Protection Act (unless discounts are only being requested for telecommunications services.)
- (e) I certify that the services that our school district purchases using E-rate discounts (as described in the law 47 U.S.C. Sec. 254) will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.
- (f) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (g) I certify that our school district has complied with all E-rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- (h) I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of the benefits from those services.
- (i) I certify that I am authorized to sign this letter of agency and, to the best of my knowledge, information, and belief, all information provided to E-rate Consulting Services, LLC for E-rate submission is true.
- (j) I authorize E-rate Consulting Services, LLC to act as our agent in a limited capacity with any service providers to request Customer Service Records. We are NOT granting E-rate Consulting, LLC authority to make any changes on our behalf.

I understand that persons willfully make false statements on E-rate forms or through this letter of agency can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001

Billed

Entity: 128340

Signature: Johanna Whitley

Date: January 6 2003

Name: Johanna Whitley

Title: Director of Technology

Please sign and fax to (770) 592-4693. Also mail the original to:

E-rate Consulting Services, LLC
103 Weatherstone Drive Suite 720
Woodstock, GA 30188



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2002-2003

April 10, 2003

Johanna Whitley
Anderson County Schools
111 S. Charles G. Seivers Blvd.
Clinton, TN 37716-3610

*E-rate
on the bill*
ENA - 12,276.00
*up-grades
not non-duals*

Re: Billed Entity Number: 128340
471 Application Number: 329179
Funding Request Number: 887777
Your Correspondence Dated: September 23, 2002 and October 11, 2002

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2002 Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 887777
Decision on Appeal: **Denied in full**
Explanation:

- In your appeal letter you have asserted your belief that this service is eligible for funding as the district has sufficient funds to pay for its share of Internet Access and have provided this additional information to clarify information provided in previous responses. You have stated that the district had originally requested \$285,540.00 to fund upgrades to all of its schools. You expected to include all necessary local funds for this project in the 2002-2003 budget. Subsequent to filing Form 471, the district received significantly more service from the State of Tennessee than had been anticipated. Therefore, only \$34,000.00 is needed to complete the upgrades, of which \$12,276.00 is the districts responsibility. In the budget approved 9/12/2002, \$12,276.00 has been allotted for this service. As such, the district has reduced the level of service to be purchased and asks the SLD to fund this service at the reduced amount of \$34,100.00.

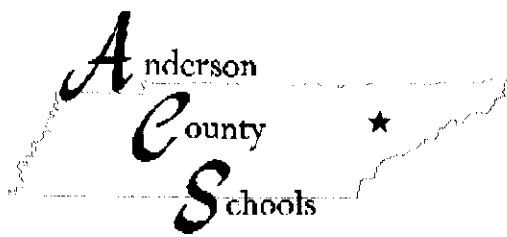
- You have also sent a 2nd letter of appeal received by the SLD on 10/11/2002 stating that the non-discounted portion of the funding request is paid by the State of Tennessee. This letter includes an invoice from the service provider, Educational Networks of America, to the State of Tennessee.
- Upon review of the appeal it was determined that you have failed to provide evidence that the district had secured access to the funds necessary to pay the non-discounted portion of the districts Funding Year 2002 funding requests. Program rules require applicants to have funding secured for the non-discounted portion of funding requests at the time the Form 471 application is filed.
- Applicants have to certify in Item 25 of the FCC Form 471 that, "[t]he eligible schools and libraries listed in Block 4 of this application have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services."

On 3/18/02 an Item 25 review fax was sent to you based on your original funding request of \$2,545,605.57. This included a request for detailed budget information as well as other bidding information. This request included a 14-day expectation notification. You did not respond to the full request for information. Furthermore, the budget documentation that you submitted was only trying to support a reduced funding request. Applicants are required to provide budget documentation to support the entire non-discounted share as requested on all Forms 471. Because SLD was unable to determine if you had sufficient funding to pay the non-discounted amounts at the time your application was submitted, your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site, www.sl.universalservice.org.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Office of Technology

111 S. Charles G. Seivers Blvd.
Clinton, TN 37716-3610
Office: (865) 463-7435 Fax: (865) 463-7213

Johanna Whitley, Director of Technology

Stewart Hicks, Service Team Coordinator

APPEAL

RE: Appeal of Denial of Internet Access Service for Anderson County School District

Date: September 23, 2002

Funding Commitment Report Dated 08/26/2002
Applicant Name: Anderson County School District
Form 471 Application Number: 329179
Billed Entity Number: 128340
Funding Request Number: 887777
Funding Year: 2002 (Year 5)

Appeal Request: Internet Access has been denied for Anderson County School District. We wish to appeal this denial based on providing information to correct an incorrect SLD assumption.

The Funding Commitment Letter explanation states:

“Insufficient Support Resources: During application review, you were asked to demonstrate that when you filed your Form 471 you had secured access to the funds needed to pay your portion of the charges, and you were unable to do so.”

Applicant Explanation:

We believe this Internet Access Service is eligible for funding as the Anderson County School System has sufficient funds to pay for the Internet Access Services. We hope providing this additional information will clarify some of the information we provided in our previous response during the Selective Review process.

During the 471 application process Anderson County School District requested \$285,540 to fund significant upgrades to all our schools. At that point, we expected to include all necessary local funds to pay for these services in our 2002-2003 budget. Subsequent to our 471 filing, we received significantly more service than anticipated from the State of Tennessee contract. Therefore, to complete our planned upgrades, we only needed \$34,100 of funding of which \$12,276 is Anderson County's portion.

The Anderson County School District budget which was approved on September 12, 2002 allotted \$12,276 for Internet access services (see attached approved budget line item 307 Communication for \$58,000 of which \$12,276 is for these Internet access services). As such, Anderson County has reduced the level of Internet access services it will purchase from Education Networks of America (see attached purchase order) during the Year 5 funding year. As such, we respectfully request that a funding level of \$34,100 be approved for Anderson County School District based on revised needs at the School District level.

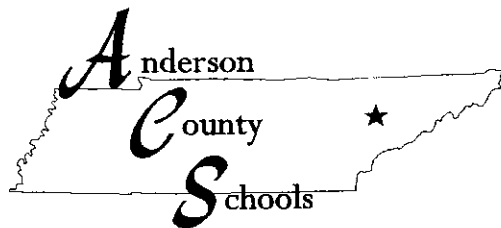
I look forward to your resolution of this appeal and am available to answer any other questions you may have. Thank you for your assistance.

Sincerely,

Johanna Whitley
Anderson County Director of Technology

Contact Information:

Johanna Whitley, Director of Technology
Anderson County School District
111 S. Charles Seivers Blvd.
Clinton, TN 37716-3610
865-463-2850
jwhitley@acs.ac
Fax: 865-463-7213



Office of Technology

111 S. Charles G. Seivers Blvd.

Clinton, TN 37716-3610

Office: (865) 463-7435 Fax: (865) 463-7213

Johanna Whitley, Director of Technology

Stewart Hicks, Senior Systems Technician

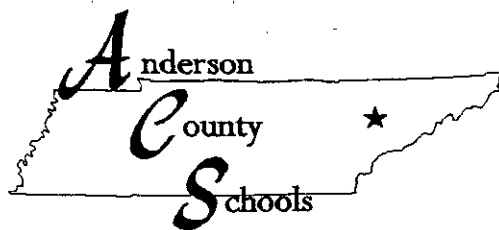
MEMO

To: Ken Collis and Tom Bayersdorfer, Tennessee E-Rate Coordinator
From: Mr. Jim Stewart, Director of Schools and Johanna Whitley, Director of Technology
Subject: E-Rate Funding Requests
Date: April 1, 2002

The State of Tennessee has been experiencing financial difficulties over the past year. The state wide financial difficulties in Tennessee are having a strong impact on local finances. For issues centered around funding, the Anderson County School System would like to pull the following FRN# from our Year 5 E-Rate requests..

We are asking that Ken Collis assist the Anderson County School District in extracting the following FRNs from the Schools and Libraries Division, SLD, for the reason stated above. **We have not included these totals in the Item 25 Worksheet.**

Vendor	SPIN #	Security Code	Applicant's Identifier	470 #	471 #	Contract #	FRN #	Monthly	Yearly Expense	Funding Request
Gallaher	14301186	38666	Andcou-471-FY5	2229880000398680	307050	Andcou-Briele-1	795957	N/A	\$252,280.07	\$227,052.06
							795959	N/A	\$845,236.71	\$760,713.04
							795963	N/A	\$574,411.51	\$516,970.36
							795969	N/A	\$116,385.67	\$104,747.10
							795972	N/A	\$330,131.81	\$297,118.63
								Totals	\$2,118,445.77	\$1,906,601.19



Office of Technology

111 S. Charles G. Seivers Blvd.

Clinton, TN 37716-3610

Office: (865) 463-7435 Fax: (865) 463-7213

Johanna Whitley, Director of Technology

Stewart Hicks, Senior Systems Technician

MEMO

TO: Ken Collis

3 Page Fax

SUBJECT: Item 25 Review

DATE: April 15, 2002

FROM: Johanna Whitley

This memo is in response to our phone call on April 15, 2002. Please note the following details and feel free to call if you have any questions or concerns.

The enclosed spread sheet outlines all E-Rate request for Year 5. As explained earlier, we pulled the 471# 307050 with Gallaher (Spin 14301186).

I have also included a new Item 25 Worksheet. On the new Item 25 worksheet you will see our totals for Year 5. As noted earlier, we currently do not know the level of funding we will receive for our Internet Access. We requested funding on T-1 lines at all 17 school locations. However, we do not know the total impact of the T-1 lines to our local budget at this time. I talked with ENA again this afternoon and they are planning to let us know our level of service of very soon. Upon notification of the funding impact, we will evaluate our budget and determine what level of service we can afford for the 2002-03.

Our 2002-03 school budget will reflect the costs of our new totals for Internet Access. I will be very happy to send this information to you as soon as we have been notified.

Thank you for your help and support.

New worksheet 4-16-02

ITEM 25 WORKSHEET SUMMARY: FAX BACK PAGE 1

Item 25 Worksheet Summary		Funding Year 5 (2002-2003)
Please Add Subtotals of Sections I through VI		
Section I: Connectivity		
I-A. Commitment Amount Requested		
• Telecom	1	\$90,636.67 <i>they pay</i>
• Internet Access	2	\$182,745.60
• Internal Connections	3	Item Removed
Total of Funding Requests (I-A)	4	\$273,382.27
I-B. Form 471 Applicant's Share		
• Telecom	5	\$50,983.13
• Internet Access	6	\$102,794.40 <i>we pay</i>
• Internal Connections	7	Item Removed
Total of Applicant Share (I-B)	8	\$153,777.53
I-C. Amounts not covered by USF Program		
• Telecom	9	\$1,500
• Internet Access	10	\$3,600 <i>not</i>
• Internal Connections	11	\$71,000 <i>covered</i>
Total of Amounts Not Covered (I-C)	12	\$76,100
Total Connectivity (I-A + I-B + I-C)	\$	\$503,259.80
Section II: Hardware		
II-A. Number of Computers Connected	13a. ##2823	13 b. #100 More-Estimate
	(Fiscal Year 2001-02)	(Fiscal Year 2002-03)
II-B. Applicant Expenditure	14a. \$125,800	14 b. \$136,000
II-C. Contribution / In-Kind Donations	15a. \$0	15 b. \$0
Total Hardware (II-B + II-C)	16a. \$125,800	16 b. \$136,000
Section III: Professional Development		
III-A. Staff Training Hours (Total 100%):		
0-5 Hrs. ___% 5-15 Hrs. ___% 15-25 Hrs. ___% 25-50 Hrs. ___% 50+ Hrs. 100%		
III-B. Applicant Expenditure	18a. \$91,625	18b. \$99,225
III-C. Contribution / In-Kind Donations	19a. \$0	19b. \$0
Total Professional Development (III-B + III-C)	20a. \$91,625	20b. \$99,225
Section IV: Software		
IV-A. Applicant Expenditure	21a. \$140,246.60	21b. \$200,859.00
IV-B. Contribution / In-Kind Donations	22a. \$0	22b. \$0
Total Software (IV-A + IV-B)	23a. \$140,246.60	23b. \$200,859.00
Section V: Retrofitting		
V-A. Applicant Expenditure	24a. \$65,123.75	24b. \$72,215.00
V-B. Contribution / In-Kind Donations	25a. \$0	25b. \$0
Total Retrofitting (V-A + V-B)	26a. \$65,123.75	26b. \$72,215.00
Section VI: Maintenance		
VI-A. Applicant Expenditure	27a. \$60,000	27b. \$60,000
VI-B. Contribution / In-Kind Donations	28a. \$0	28b. \$0
Total Maintenance (VI-A + VI-B)	29a. \$	29b. \$
Total of E-Rate Initiative (Total of Section I to VI)	30a. \$60,000	30b. \$60,000
Technology Implementation Level (Enter Number of schools/libraries at each level from worksheet)		
Level 1 current:17	Level 2 current:17	Level 3 current:17
Level 1 by 6/30/03:	Level 2 by 6/30/03:	Level 3 by 6/30/03:
Level 4 current:17		Level 4 by 6/30/03:

Year 5 E-Rate Summary Request

15-Apr-02 The following items have been requested. We are awaiting on notification from the FLC on funding.

Grand Total= \$2,089,346.79

Year 5 Requests

Vendor	SPIN #	Security Code	Applicant's Identifier	470 #	471 #	Contract #	FRN #	Monthly	Yearly Expense	Funding Request
Bell South	143004824	54845	Yr5-telecom	337930000399003	306498	2002-5-010	792616	\$9,604.03	\$115,248.00	\$73,748.36
...	1430000892	96094	Yr5-telecom	337930000399003	305422	SWC #3044	789310	\$2,197.62	\$25,831.44	\$16,877.72
Citizens	143001641	7648	CitizensYr5	580190000331426	304771	423-945-2222	785920	\$285.01	\$3,420.12	\$2,736.10
...	143008159		ENA 0030-01				887777		\$285,540.00	\$182,745.60
										\$276,107.78

This requested was pulled.

Vendor	SPIN #	Security Code	Applicant's Identifier	470 #	471 #	Contract #	FRN #	Monthly	Yearly Expense	Funding Request
Gallaher	14301186	38666	Andcou-471-FY5	222988000398680	307050	Andcou-Briele-1	795957	N/A	\$252,280.07	\$227,052.06
							795959	N/A	\$845,236.71	\$760,713.04
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							795969	N/A	\$116,385.67	\$104,747.10
							795972	N/A	\$330,131.81	\$297,118.63
								Totals	\$2,118,445.77	\$1,906,601.19

FAX Cover

**To: Ken Collis
973-884-8066**

**FROM: Johanna Whitley
865-463-7213**

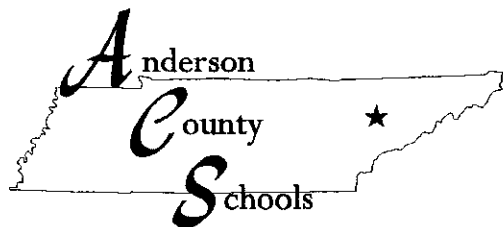
**22-Total Pages
Date: April 3, 2002**

Ken,

I over-nighted all the other documentation. You should receive the other items today. Please let me know if you need any additional information.

Sincerely,

Johanna Whitley



Office of Technology
111 S. Charles G. Seivers Blvd.
Clinton, TN 37716-3610
Office: (865) 463-7435 Fax: (865) 463-7213

Johanna Whitley, Director of Technology

Stewart Hicks, Senior Systems Technician

MEMO

To: Ken Collis and Tom Bayersdorfer, Tennessee E-Rate Coordinator
From: Mr. Jim Stewart, Director of Schools and Johanna Whitley, Director of Technology
Subject: E-Rate Funding Requests
Date: April 1, 2002

The State of Tennessee has been experiencing financial difficulties over the past year. The state wide financial difficulties in Tennessee are having a strong impact on local finances. For issues centered around funding, the Anderson County School System would like to pull the following FRN# from our Year 5 E-Rate requests..

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Totals									\$2,118,445.77	\$1,906,601.19

Implementing Technology as a Tool for Education



Universal Service Administrative Company
Schools & Libraries Division

E-RATE SELECTIVE REVIEW INFORMATION REQUEST

To:	Johanna Whitley	From:	Ken Collis
Your Phone Number	865-463-7435	My Phone Number	973-884-8137
Your Fax Number	865-463-7213	My Fax Number	973-884-8066
Organization	Anderson County	My Email Address	KCOLLIS@sl.universalservice.org
Today's Date	3/18/02	Number of Pages:	15

Please respond by:	4/3/02
Form 471 Application Numbers:	305422,306498, 307050, 329179 Please note that we have pulled 471# 307050 due to financial difficulties. We have not included these totals in this review.

PLEASE CALL TO CONFIRM THAT THIS FAX HAS BEEN RECEIVED IN ITS ENTIRITY

Time Sensitive – 14-Day Response Expected

It is important that we receive all of the information requested within 14 calendar days of the date of this fax so that we may complete our review of your funding request(s).

Who can respond to this request for information

This fax requests information that must be provided by the applicant, or by the applicant's authorized representative. If the applicant is responding to this fax, it must return the enclosed certification (the last page of this fax) to SLD along with the requested material. If the applicant's authorized representative is responding to this fax, the authorized representative must sign and return the enclosed certification (the last page of this fax) to SLD along with the requested material AND a letter of agency or other agreement between the applicant and consultant authorizing them to act on the school or library's behalf.

How to respond

Please send your responses to the questions outlined on the following pages to:

Via Fax:	Via Expedited Mail:	Via email:
Ken Collis	Ken Collis	kcollis@sl.universalservice.org
PIA Selective Review (973) 884-8066 (fax)	SLD 80 S. Jefferson Road Whippany, NJ 07981	

Thank you for your assistance as we work to assure the integrity of the Schools and Libraries Universal Service Fund. It is important that we receive all of the information requested within 14 calendar days. A checklist of the items requested in this fax is included on the last page.

If you have any questions with regard to this request or these worksheets, please contact the reviewer at the phone number or email address listed above.

Dear E-Rate Applicant:

In order to ensure that applicants are following certain program rules relating to certification statements and competitive bidding processes, you have been selected for a two part review (Selective Review). We are seeking information about (1) your competitive bidding and vendor selection processes, and (2) information to support the certification you made on FCC Form 471, Item 25, regarding the access that you have secured to all of the necessary resources to make effective use of the requested products and services.

Information Regarding the Competitive Bidding Process and Vendor Selection

1. Please provide signed and dated copies of all contracts relating to your Funding Year 5 Form(s) 471. If contracts are not provided, please explain why you have not provided them. If the price on the contract is different from the pre-discount price on your Form(s) 471 please explain the difference and account for the difference. (For example, if the dollar amount on the contract is higher than the dollar amount on your Form(s) 471 indicate which services have been backed out, if that is the case. If the dollar amount on the contract is lower than the dollar amount on your Form(s) 471, explain why.)
2. Please provide a copy of all requests for proposals (RFPs, invitation to bid, request for bids, etc.) or other documentation of bid requests for services and/or products requested on each Form 471. You do not need to provide copies of Form(s) 470 that were posted to the website. If RFPs are not provided, please explain why you have not provided them.
3. Please provide complete copies of all bids that were received.
4. Please provide complete documentation indicating how and why you selected the service provider(s) selected. This documentation should include a description of your evaluation process and the factors you used to determine the winning contract(s).
5. Please provide a copy of the entire consulting agreement(s) relating to the planning, implementation and support of your E-rate funding request(s).
6. Please provide a copy of all correspondence between your service providers and consultants and the school regarding the competitive bidding process and the application process.

If any of the information requested above is not available, please explain why it is not available. This explanation should include how you conformed with applicable local and state procurement regulations and your organization's procurement and bidding policies.

Information Regarding Your Item 25 Certification

Overview

To ensure that E-Rate funds are allocated appropriately, and in accordance with FCC Orders, each applicant is required to certify in Item 25 of FCC Form 471 that: "The school(s) or library(ies) I represent have secured access to all the resources, including computers, training,

software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.” The Item 25 Certification review also looks at the applicant’s ability to pay for their share of E-rate funding. In the course of the Item 25 Certification review we will ask for:

- documentation of your ability to pay for your share of E-Rate discounts and estimates of non-E-Rate eligible resources that you might use to meet this certification.
- your estimates of hardware, software, professional development, retrofitting and maintenance investments that might not be E-Rate eligible, but are necessary to make effective use of the E-Rate discounts you have requested.
- a copy of your technology plan.
- an estimate of the technology level of all schools or libraries within your organization following E-Rate.

The Item 25 Certification Review takes place on a system-wide basis. (also called a “billed entity”) level. We will be requesting, and looking at information for ALL 471(s) filed for the 2002-2003 funding year, Funding Year 5, that were filed by the entity listed on the cover page of this fax.

First, re-familiarize yourself with the Form(s) 471 that you filed for Funding Year 5. We have listed Funding Year 5 applications that we have identified to date that are a part of this review on the cover page of this fax. Please notify us if you have additional Forms 471 for Funding Year 5 that we have not listed. The review will include those as well. It is important that you identify any additional applications that you have filed at this time for Funding Year 5. Failure to do so may delay or jeopardize funding commitments; and/or post-commitment disbursements. Failure to do so may also result in future adjustments to any commitments that you may receive from us.

If you have additional application (s) not listed above, you might also need to make an adjustment to the amounts we listed in the Item 25 Worksheet Summary Sections I-A and I-B.

Instructions for Completing the Item 25 Worksheet Summary: Fax Back Page 1 (Page 12 of this fax.)

Section I: Connectivity

Subsection I-A. Commitment Amount Requested

We have looked at the Forms 471 that you filed for Funding Year 5. We added up the commitment amounts that you requested on those Forms 471, by service category (the amount(s) from Form 471, Block 5, Item 23k). We placed those sums next to the respective service category(ies) in Section IA on the *Item 25 Worksheet Summary: Fax Back Page 1* (numbers 1, 2 and 3 on the *Item 25 Worksheet Summary: Fax Back Page 1*, page 12 of this document). Please verify that these are the correct sums of the funding request amounts. As noted above, this part of the review is based on your ability to pay the non-discounted portion of the funding that you requested on your Forms 471. Therefore, unless and until certain funding requests (FRNs) are determined to be non-fundable (e.g. funding cap prevents funding certain requests) we are asking to see that you have budgeted for all the requests that you listed on all the 2002-2003 Forms 471 that you filed for your entity. Also note that if you have identified

471s, in addition to those listed on the cover page of this fax, and those additional 471s mean that the amounts we placed in Subsections I-A and I-B are too low, please make the adjustment on the worksheet and explain the adjustment when you return that worksheet.

Subsection I-B. Applicant's Share

In Section I-B of the Item 25 Worksheet you are being asked to document the funds you have available to pay for the discounted charges on eligible services. These are funds for paying your share of telecommunications services, Internet access, or internal connections costs after the discount has been applied. The FCC intentionally required applicants to pay for a portion of their services in order to encourage cost-effective practices. For further information on your obligation to pay this amount, please see "Obligation to Pay Non-Discount Portion" in the Reference Section of SLD website at www.sl.universalservice.org.

We added up the "applicant share" of the amounts that you requested on Funding Year 5 (2002-2003) Forms 471, by service category. [The difference between Form 471 Block 5, Item 23i (the total program year pre-discount \$ amount) and Form 471 Block 5, Item 23k (the funding \$ request)] The applicant share is also known as the "non-discounted amount," that is, the amount that the applicant is required by FCC rules to pay. We placed those sums next to the respective service category(ies) in Section I-B on the Item 25 Worksheet Summary: Fax Back Page 1. (numbers 5, 6 and 7 on the *Item 25 Worksheet Summary: Fax Back Page 1*, page 12 of this document). Please verify that these are the correct sums of your share of the charges.

For Section I-B of the worksheet, please include the relevant pages of your operating or facilities budget to document that you are able to pay for your share of the purchased services. To allow us to conduct our review, please be sure all the following are included on the budget that you fax and/or send to us:

- The name of the entity to which the budget applies (is it for a school? For a district? For one library outlet? For a library district? For a municipality?)
- The time frame that the budget covers, including a starting date and ending date (e.g. July 1, 2002-June 30, 2003)
- Please mark on the budget from which fund(s)/budget lines the dollars you will spend on E-rate (applicant share) will come, the specific amount that will come from each fund/budget line. For example, if budget line A000002 contains \$200,000 and \$100,000 will be used to pay your share of E-rate, then please circle that budget line, draw an arrow to it or asterisk it, and mark "E-rate, \$100,000."
- Both revenues and expenses.

A discrepancy between the sum of the amounts identified on your budget(s) and the sum of the Forms 471 could delay or jeopardize processing of your forms. Please explain any differences between the applicant share on the Forms 471 you filed and the amounts on the budget that you provide.

Draft Budgets

If a budget is not available or is still in the approval process, we will accept any of following, provided a letter signed by a school or library official (superintendent, board president, chief business officer) **accompanies** the document(s).

The letter should explain what phase of the approval process you are in, whether your share of funding is contingent on any outside action (e.g. voter approval, board approval, state legislation, etc.) and whether in the absence of such outside approval, you anticipate being able to meet your share. Please make sure that the documentation you submit with the letter includes the same information as we requested above for a final budget. Also make sure that the letter identifies the specific amount that you will have available to pay your share. For example, if you have \$100,000 that you will be putting in your budget, make sure that that is noted in the letter.

- A draft budget
- A resolution of a governing Board authorizing the filing of a Form(s) 471 for a given dollar amount, for given services and/or products, within a given timeframe. For us to consider such a resolution sufficient evidence that your entity has provided for payment of your share of E-rate, the resolution should specify the funding year, the fiscal year, or the school year during which the payment is authorized.
- If donations (or other dollars from any contributor) are a source, a signed commitment letter from the donor (e.g. school or library foundation) to the applicant specifying 1) the level and commitment of funds or other resources; 2) the timing of the delivery of such resources, along with a dispositive indication that the resources are for E-rate supported products/services or for items needed to use effectively the discounted services. (The indication as to the use of the resources might come from the donor or be reflected in a Board resolution committing donations to E-rate related purposes.)

Note: If a final, approved budget is provided, we may verify that budget with independent sources.

If a final, approved budget is **not** available, we require a combination of a letter (described above) AND one of the bulleted examples above. We require **both**, **not** one or the other.

Subsection I-C. Amounts not covered by USF Program

In Section I-C of the Item 25 Worksheet you are asked to indicate the total amount of money that you will pay during Funding Year 5 (07/01/2002 - 06/30/2003) for E-Rate eligible products/services for which you are NOT requesting E-Rate funding.

- Separate the services/products into their respective service categories (telecommunications, Internet access and internal connections) and total the results of each category.
- Enter these amounts in the Item 25 Worksheet Summary, page 10, Section I-C in the respective service category (Numbers 9, 10, 11).

- Sum items I-C, 9 through 11 and enter this amount in #12.

Sections II through VI: Hardware, Professional Development, Software, Retrofitting and Maintenance

For Sections II through VI of the worksheet, it is not initially necessary to document your estimates. However, in the event of a future audit, and depending on the results of our analysis, you may be asked to provide additional documentation to clarify or substantiate your estimates.

For Sections II through VI (Hardware, Software, Professional Development, Retrofitting, and Maintenance), you will be asked for investment amounts in these areas for the **FISCAL** year prior to the program funding year (2001-2002 or equivalent) and also for the **FISCAL** year investment that coincides with the program Funding Year (2002-2003 or equivalent). Since fiscal year calendars vary from one location to another, you may have to adjust your figures accordingly.

Securing access to necessary resources for non-eligible products and services does not mean that all resources to support the purchased services must be paid for out of current year funds. Therefore, if you can demonstrate that the computers are in place, the training has occurred, or the electrical system has been upgraded as a result of investments in previous years, then those resources are available to support the purchased services. You may attach a page to the worksheet, or cross-reference the technology plan you have provided, to document that these resources are available. You may also estimate the value of donations and in-kind contributions on the worksheet, and include these values in the subtotals for each section. These can be listed on the line marked "Contributions/In Kind" for each section.

If you have submitted your E-Rate request on behalf of a school system, a library system, or a consortium, your response on these worksheets should represent the total of all of the resources available in all of the eligible entities covered by your request. For example, you would include your estimate of all of the networked computers in your school district or library system buildings that will be covered by your funding request. If, as an applicant, you have submitted multiple Form(s) 471, a single worksheet should be used to summarize the total requests for all of your Form(s) 471, and the total resources that are available to support those requests.

Section II: Hardware

Hardware includes computers, printers, fax machines, video equipment, scanners, CD-ROM servers, etc., that are used to support and improve education or library service.

To use telecommunications access effectively for improved education or library service you should have computers that can take advantage of the resources available on the Internet. Legacy equipment (PCs below 486 or Macs below 040 processors) that can not take full advantage of the Internet should not be included in the hardware available to support purchased services unless they can support text-based browsing (such as Macs with 020 processors or 386 PCs with appropriate software).

- In Section II-A, please list the number of computers adequately connected to the Internet

as of today (enter in number 13a) and the number of computers planned to be connected as of June 30, 2003. (enter in number 13b)

- In Section II-B, please estimate your total expenditure for hardware for the fiscal year prior to the funding year (i.e. 2001-2002) and for the fiscal year that coincides with the funding year (i.e. 2002-2003). Enter these numbers in Section II-B, Numbers 14a and 14b.
- Estimate the value of in-kind hardware donations received during the last fiscal year and for this fiscal year. Enter these numbers in Section II-C, numbers 15a and 15b.

If you have made a significant investment in technology prior to these fiscal years, please summarize these resources that are already in place in the section titled, *Resource Plan: Fax Back Page 2*. You may be asked to provide documentation to support this or any other statement that you make in response to this information request. If you have applied for matching funds or grants from other sources that have not been approved yet, please note it. Include all information about resources that you have available to make use of the E-rate program.

Section III: Professional Development

Professional Development, which is not eligible for E-rate discounts, is necessary to ensure that you are prepared to make effective use of purchased services. Professional development should provide for ongoing and sustained training for not just the technical staff, but teachers and librarians as well.

Your budget should provide for professional development that goes beyond the acquisition of generic computer skills to include mastery of technology applications specifically designed to improve teaching, learning or library service. Training that is limited to the acquisition of basic computer skills is not sufficient. Training should be coordinated with the availability of appropriate technology in the school, classroom, or library.

The following are possible professional development costs that might have been incurred by your organization: seminars and conferences; faculty hired to conduct in-service or on-site training; technology related courses attended by your staff and paid for by your organization; books and other instructional materials; and full time professional development staff. Peer tutoring and peer monitoring is another method for delivering training, and you may include this in your estimate of Professional Development Contributions and in-kind donations. However, for these purposes, please do not include any non-technology related course costs.

- Estimate the percent of your instructional or library service staff that have been trained to use technology to improve education or library services and list the results in Section III-A (the combined total should equal 100%). Please note that here we are looking for the CURRENT percentages of teacher training; current as of today
- Then estimate the value of your professional development expenditures for fiscal year 2001-2002. Place that amount next to number 18a.
- Estimate the value of your professional development expenditures for fiscal year 2002-2003. Place that amount next to number 18b.

- Estimate any in-kind or pro-bono professional development for fiscal year 2001-2002. Place this amount next to number 19a.
- Estimate any in-kind or pro-bono professional development expected for fiscal year 2002-2003. Place this amount next to number 19b.
- Add 18a and 19a.
- Place that number in 20a.
- Add 18b. and 19b.
- Place that number in 20b.

If you have made a significant investment in professional development prior to these fiscal years, please summarize these resources that are already in place in the section titled, *Resource Plan: Fax Back Page 2*. If you have applied for matching funds or grants from other sources that have not been approved yet, please note it. Include all information about resources in the area of professional development that you have available to make use of the E-rate program.

Section IV: Software

Some software (such as productivity tools, curriculum software, library content, etc.) is not eligible for discounts, but is necessary to make effective use of the purchased services. (Software to operate a network server is eligible and would be included in Connectivity above.)

- Estimate your 2001-2002 expenditure on software.
- Enter this amount in 21a.
- Estimate your 2002-2003 fiscal year anticipated expenditures in the area of software.
- Enter this amount in 21b.
- Estimate any in-kind contributions of software products during fiscal year 2001-2002.
- Enter this amount in 22a.
- Estimate any 2002-2003 fiscal year anticipated in-kind contributions of software.
- Enter this amount in 22b.
- Add 21a and 22a.
- Place this number in 23a.
- Add 21b and 22b.
- Place this number in 23b.

If you have made a significant investment in technology prior to these fiscal years, please summarize these resources that are already in place in the section titled, *Resource Plan: Fax Back Page 2*. If you have applied for matching funds or grants from other sources that have not been approved yet, please note it. Include all information about resources that you have available to make use of the E-rate program.

Section V: Retrofitting

Retrofitting that may be necessary to make effective use of purchased services is not eligible for USF discounts, but it is necessary to make effective use of the purchased services. Ineligible retrofitting includes electrical wiring, asbestos removal, building modifications, renovations and repairs necessary to use the requested E-rate products and services. Retrofitting is not the costs that you incurred to upgrade your computer wiring or network hardware.

- Please estimate your retrofitting investment during fiscal year 2001-2002
- Place this number in 24a.
- Estimate your retrofitting expenses anticipated during fiscal year 2002-2003.
- Place this number in 24b.
- Estimate any in-kind or pro-bono work in the area of retrofitting received during fiscal year 2001-2002.
- Place this number in 25a.
- Estimate expected in-kind or pro-bono work in the area of retrofitting that you anticipate receiving during fiscal year 2002-2003.
- Place this number in 25b.
- Add 24a and 25a.
- Place this number in 26a.
- Add 24b and 25b.
- Place this number in 26b.

If you have made a significant investment in technology in prior fiscal years, please summarize these resources that are already in place in the section titled, *Resource Plan: Fax Back Page 2*. If you have applied for matching funds or grants from other sources that have not been approved yet, please note it. Include all information about resources that you have available to make use of the E-rate program.

Section VI: Maintenance

Systems maintenance and operations costs for ineligible hardware and software, and salaries of staff are ineligible for USF discounts. Nevertheless, they are necessary to make effective use of the purchased services (maintenance costs for E-rate eligible equipment and services, that do not include applicant staff salaries, should be included in Connectivity above).

- Please estimate your expenditures for systems maintenance and operations in the 2001-2002 fiscal year.
- Place this number in 27a.
- Estimate your expenditures for the coming fiscal year (2002-2003) for systems maintenance and operations.

- Place this number in 27b.
- Estimate any pro-bono maintenance or the value of donated time on maintenance for the 2001-2002 fiscal year.
- Place this number in 28a.
- Estimate any pro-bono maintenance or the value of donated time on maintenance anticipated for the 2002-2003 fiscal year
- Place this number in 28b.
- Add 27a and 28a.
- Place this number in 29a.
- Add 27b and 28b.
- Place this number in 29b.

If you have made a significant investment in technology in prior fiscal years, please summarize these resources that are already in place in the section titled, *Resource Plan: Fax Back Page 2*. If you have applied for matching funds or grants from other sources that have not been approved yet, please note it. Include all information about resources that you have available to make use of the E-rate program.

Technology Plan

Please include a copy of your technology plan to your response to this request. Your technology plan helps us better understand the resources that are available to support the funding requests that you have submitted on your Form(s) 471.

Technology Implementation Level

- In column A, list the number of schools or libraries that currently fall into the technology levels described below.
- In column B, indicate where your schools/libraries will be as a result of the technology delivered as a result of the e-rate applications you have submitted this year.

If you are responding on behalf of a consortium, a school district or a library system that has schools or libraries at different levels, please list the number of sites that are at each level.

Please list the <i>number</i> of schools and libraries that are currently and <i>will be</i> at each level <i>after</i> the requested services are installed.		(A) Current Number of Schools/Libraries	(B) After 2002-2003 E-rate products/services number of Schools/Libraries
Level I	Phone Service, and Single Point Internet Access	17	17
		Place the above number next to "Level 1 current:" at the bottom of the Fax Back Page 1.	Place the above number next to "Level 1 by 6/30/03:" at the bottom of the Fax Back Page 1.
Level II	Phone Service, and multiple computers connected directly to the Internet in a networked lab or single location in a library. Please also estimate the number of computers to be networked.	17 Schools Total Computers 2823 All computers are connected to the network. No phones on building LANS	2923
		Place the above number next to "Level 2 current:" at the bottom of the Fax Back Page 1.	Place the above number next to "Level 2 by 6/30/03:" at the bottom of the Fax Back Page 1.
Level III	Phone Service, and direct Internet connection on building LAN with some classrooms networked or distributed centers in a library. Please estimate the number of rooms, centers, and computers.	No phones on building LANS 17 Schools 700 + Classrooms 2823 Computers	
		Place the above number next to "Level 3 current:" at the bottom of the Fax Back Page 1.	Place the above number next to "Level 3 by 6/30/03:" at the bottom of the Fax Back Page 1.
Level IV	Phone Service, and direct Internet connection on building LAN with access from all classrooms or library centers. Please indicate number of rooms, public access stations, and computers.	17 Schools No phones on building LANS	
		Place the above number next to "Level 4 current:" at the bottom of the Fax Back Page 1.	Place the above number next to "Level 4 by 6/30/03:" at the bottom of the Fax Back Page 1.